

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**  
**CHARLESTON DIVISION**

**IN RE: COOLOPLAST CORP.  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION**

**MDL 2387**

**THIS DOCUMENT RELATES TO ALL CASES IDENTIFIED IN EXHIBIT A**

**PRETRIAL ORDER # 139**  
**(Order re: Scheduling Mandatory Settlement Conference for**  
**Certain Remaining Plaintiffs in Coloplast MDL)**

For reasons appearing to the court, it is **ORDERED** as follows:

1. Counsel for all plaintiffs identified in the attached Exhibit A, who have alleged claims against Coloplast Corporation, RTI Biologics and/or Mentor Worldwide LLC (“Coloplast”) and whose cases have not been resolved (i.e. dismissed with or without prejudice, placed on an inactive docket, or notice of settlement filed with the court), and are not subject to an agreement in principle to resolve, are directed to meet and confer with King & Spalding, Tucker Ellis and/or Ledy Gurren Bass D’Avanzo & Siff, LLP,<sup>1</sup> settlement counsel for Coloplast, on or before **November 2, 2018**, and to engage in good faith discussions about the possibility of settlement. Counsel may also contact Mr. Riley Burnett or Mr. Robert Salim, coleads of the Coloplast MDL, or Ms. Karen Beyea-

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<sup>1</sup> Lana Varney is counsel at King & Spalding on behalf of Coloplast and may be reached at: (512)457-2060 or [LVarney@KSLAW.com](mailto:LVarney@KSLAW.com). Dustin Rawlin and Jonathan Feczko are counsel at Tucker Ellis on behalf of Mentor. Mr. Rawlin may be reached at (216)696-4235 or [drawlin@tuckerellis.com](mailto:drawlin@tuckerellis.com). Mr. Feczko may be reached at (216)696-3161 or [jfeczko@tuckerellis.com](mailto:jfeczko@tuckerellis.com). Nancy Ledy-Gurren and Joe D’Avanzo are counsel at Ledy Gurren Bass D’Avanzo & Siff LLP on behalf of RTI Biologics. Ms. Ledy-Gurren may be reached at (212)447-1111 or [nledygurren@lgb-law.com](mailto:nledygurren@lgb-law.com). Mr. D’Avanzo may be reached at (914)205-3884 or [jdavanzo@lgb-law.com](mailto:jdavanzo@lgb-law.com).

Schroeder, counsel working with Mr. Burnett, regarding coordination of settlement discussions with Coloplast.<sup>2</sup>

2. Ms. Beyea-Schroeder and King & Spalding are directed to provide a joint written report to the court via email on **November 7, 2018**, identifying which cases remaining on Exhibit A, if any, have not been resolved or dismissed.
3. On or shortly after **November 12, 2018**, the court will enter an order identifying the cases where a settlement conference will be conducted because the case was not resolved or dismissed. That order will identify on which of the following dates the parties in each case must appear for the settlement conference: **December 4 and 5, 2018 or such other date as set by the court**. Each day, the settlement conferences will begin at 9:00 a.m. in Charleston, West Virginia at the Robert C. Byrd United States Courthouse (Room number will be provided in the order). Settlement conferences will continue in each case from day-to-day and parties should come prepared for evening work.
4. Individual plaintiffs whose cases are scheduled for a settlement conference shall appear in person for the settlement conference along with counsel of record.
5. Any plaintiff who fails to comply with this PTO may be subject to a substantial sanction, including dismissal with prejudice.
6. Cases not settled during the settlement conference will be dealt with by further order.

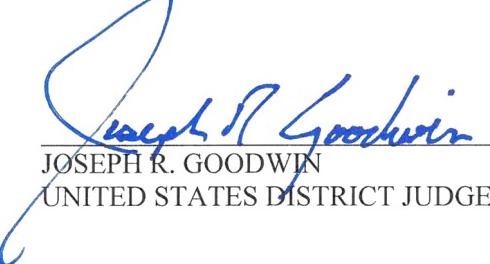
The Court **DIRECTS** the Clerk to file a copy of this order in 2:10-md-2387 and in the

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<sup>2</sup> Mr. Burnett may be reached at (281) 413-0457 or (281)413-0457 or [rburnett@rburnettlaw.com](mailto:rburnett@rburnettlaw.com). Ms. Beyea-Schroeder may be reached at (832) 413-4413, (832) 585-9829 or [karen.schroeder@rburnettlaw.com](mailto:karen.schroeder@rburnettlaw.com). Mr. Salim may be reached at (318) 663-5998 or [skeeter@salim-beasley.com](mailto:skeeter@salim-beasley.com).

cases listed on Exhibit A. The orders may be accessed through the CM/ECF system or the Court's website at [www.wvsd.uscourts.gov](http://www.wvsd.uscourts.gov).

ENTER: September 13, 2018

  
JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

Count	Civil Action No.	Case Name
1	2:12-cv-04230	Gustafson et al v. Mentor Worldwide LLC et al
2	2:13-cv-01858	Perretta et al v. Mentor Worldwide LLC et al
3	2:13-cv-01902	Arevalo v. Mentor Worldwide LLC et al
4	2:13-cv-02226	Brickey v. Mentor Worldwide LLC et al
5	2:13-cv-02290	Wehmeyer et al v. Mentor Worldwide LLC
6	2:13-cv-02541	Manriquez v. Mentor Worldwide LLC et al
7	2:13-cv-02853	Rials v. Mentor Worldwide LLC et al
8	2:13-cv-05406	Besaw v. Mentor Worldwide LLC
9	2:13-cv-05894	Stanley et al v. Mentor Worldwide LLC et al
10	2:13-cv-07125	Little v. Mentor Worldwide LLC
11	2:13-cv-08518	Eaton et al v. Mentor Worldwide LLC et al
12	2:13-cv-09902	Didomenico v. Mentor Worldwide LLC et al
13	2:13-cv-09907	Hook v. Mentor Worldwide LLC et al
14	2:13-cv-09911	Miller v. Mentor Worldwide LLC et al
15	2:13-cv-09913	Murphy v. Mentor Worldwide LLC et al
16	2:13-cv-09917	Savenelli v. Mentor Worldwide LLC et al
17	2:13-cv-09919	Shoemaker v. Mentor Worldwide LLC et al
18	2:13-cv-09926	Thompson v. Coloplast Corp. et al
19	2:13-cv-10893	Hayworth et al v. Mentor Worldwide LLC et al
20	2:13-cv-11094	Foster et al v. Mentor Worldwide LLC et al
21	2:13-cv-11288	Yarbrough et al v. Mentor Worldwide LLC et al
22	2:13-cv-11289	Yarbrough v. Mentor Worldwide LLC et al
23	2:13-cv-15065	Smith v. Coloplast Corp.
24	2:13-cv-20495	Doyle et al v. Mentor Worldwide LLC
25	2:13-cv-20647	Perez et al v. Mentor Worldwide LLC et al
26	2:13-cv-23238	Morsea et al v. Coloplast Corp.
27	2:13-cv-30680	Williams v. Mentor Worldwide LLC
28	2:14-cv-15373	Garcia v. Coloplast Corp.
29	2:14-cv-18097	Liszka et al v. Coloplast Corp.
30	2:14-cv-25814	Babin et al v. Coloplast Corp.
31	2:14-cv-25973	Redding v. Coloplast Corp.
32	2:15-cv-01733	Herrera v. Coloplast Corp.
33	2:15-cv-03975	Bate et al v. Coloplast Corp.
34	2:15-cv-13643	Vigil et al v. Coloplast Corp.
35	2:15-cv-14353	Hammock et al v. Mentor Worldwide LLC et al
36	2:16-cv-00871	Godreau-Rivera et al v. Coloplast Corp.
37	2:16-cv-06430	Bridget v. Coloplast Corp. et al
38	2:16-cv-06586	Corley v. Coloplast Corp.
39	2:16-cv-06588	Moore v. Coloplast Corp.
40	2:16-cv-10031	Morrison et al v. Coloplast Corp.
41	2:17-cv-00482	Stevens v. Coloplast Corp.
42	2:17-cv-02126	Davis v. Coloplast Corp.
43	2:17-cv-02325	Whitehurst v. Mentor Worldwide LLC et al
44	2:17-cv-02628	Kinnard et al v. Coloplast Corp.

<b>Count</b>	<b>Civil Action No.</b>	<b>Case Name</b>
45	2:17-cv-02905	Cook v. Mentor Worldwide LLC et al
46	2:13-cv-08942	Riggs v. Mentor Worldwide LLC et al
47	2:13-cv-14462	Smith v. Mentor Worldwide LLC et al
48	2:13-cv-15938	Franciscus v. Mentor Worldwide LLC et al
49	2:13-cv-16845	Lower et al v. Mentor Worldwide LLC et al
50	2:13-cv-19499	Moore et al v. Mentor Worldwide LLC et al
51	2:13-cv-19951	Coffman et al v. Mentor Worldwide LLC et al
52	2:13-cv-24332	Hoffman v. Mentor Worldwide LLC et al
53	2:14-cv-11322	Kumar v. Coloplast Corp.
54	2:15-cv-00777	Cain v. Mentor Worldwide LLC et al
55	2:15-cv-04513	Cooper v. Coloplast Corp.
56	2:15-cv-14559	Simpkins v. Coloplast Corp.
57	2:13-cv-20222	Goss v. Mentor Worldwide LLC et al
58	2:13-cv-20510	Tridente et al v. Mentor Worldwide LLC et al
59	2:13-cv-27453	Olier v. Coloplast Corp.
60	2:13-cv-28995	Crawley-Kelsey v. Mentor Worldwide LLC et al
61	2:14-cv-03880	Lint v. Mentor Worldwide LLC et al
62	2:14-cv-10749	Russ v. Coloplast Corp.
63	2:14-cv-13132	Sanchez v. Mentor Worldwide LLC et al
64	2:14-cv-14127	Evans et al v. Coloplast Corp.
65	2:14-cv-14277	Kluever et al v. Mentor Worldwide LLC et al
66	2:14-cv-16763	Ramey et al v. Coloplast Corp.
67	2:14-cv-27484	Sparks et al v. Coloplast Corp.
68	2:15-cv-11627	Woods et al v. Coloplast Corp.
69	2:16-cv-04964	Wujnovich et al v. Coloplast Corp.